THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.14136 OF 1999

DATED: 12-04-2007

Between :

1. Mir. Shabbir Ali and another … Petitioner

And

1. The Station House Officer, Rajender Nagar Police Station, Rangareddy District.
2. The Mandal Revenue Officer, Rajendar Nagar Mandal, Rajendar Nagar.
3. The Commissioner, Land Reforms and Urban Land Ceiling, Hyderabad, A.P..

(Dismissed for default as per Court order dated 7-3-2003 as against R3) . … Respondents

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ORDER :

This writ petition is filed seeking a declaration that the action of the respondents in trying to dispossess the petitioners from the land in Sy.No.142/1 of Kismetpur Village and Gram Panchayat, Rajendernagar Mandal, Rangareddy District in spite of the order passed by the Commissioner of Land Reforms and Urban Land Ceiling dated 30-11-1995 as arbitrary and illegal.

It is pleaded that the petitioners are the owners and possessors of the land in question and against the orders of the Special Officer and Competent Authority for the Urban Land Ceilings made under Sections 8 (4) and 9 of the Urban Land (Ceiling and Regulation) Act, 1976 they preferred an Appeal which is pending before the Commissioner of Land Reforms and Urban Land Ceiling, Hyderabad. Pending the said Appeal, the order of the Special Officer and Competent Authority was stayed. Alleging that in spite of the said order the respondents herein have been interfering with the possession and enjoyment of the petitioners in respect of the land in question, this writ petition is filed.

This Court by order dated 12-7-1999 granted interim stay of dispossession of the petitioners from the land in question and the same continued to be in operation throughout.

Though a counter-affidavit has been filed on behalf of the

respondents, the title and possession claimed by the petitioner has not been disputed and it is stated that the allegation that they were interfering with the possession of the petitioners is also incorrect.

Having regard to the facts and circumstances of the case and particularly keeping in view that the Appeal is pending before the Commissioner of Land Reforms and Urban Land Ceiling, without expressing any opinion on merits, the Writ Petition is disposed of with a direction to the respondents not to interfere with the possession of the petitioners in respect of the land in question as long as the order of stay granted by the Commissioner of Land Reforms and Urban Land Ceiling is subsisting. No costs.

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G. ROHINI, J.

Dt. 12-4-2007

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